



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,583	04/17/2000	YAARIT SILVERSTONE	ANDIP584	1125

29838 7590 11/26/2002

OPPENHEIMER WOLFF & DONNELLY, LLP (ACCENTURE)
1400 PAGE MILL ROAD
PALO ALTO, CA 94304

EXAMINER

AKERS, GEOFFREY R

ART UNIT PAPER NUMBER

3624

DATE MAILED: 11/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

59/580583

Applicant(s)

Silvestro

Examiner

Ahes, 9

Group Art Unit

3624

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 9/16/02
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-21 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-4 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Ryer 12

Art Unit: 3624

DETAILED ACTION

Reply to Response

1. This communication is issued in reply to applicant's response(Paper #11) filed 9/16/02.
2. No claims were cancelled; none were amended; no new claims were added.
3. Claims 1-21 are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 6-9,13-16,20-21 are rejected under 35 USC 103(a) as unpatentable over Sheflott(US Pat. No: 5,802,493) in view of Tibbetts (US Pat. No: 6,158,044) and further in view of Flores(US Pat. No: 6,073,109).
6. As per claims 1,8,15 Sheflott teaches a method for providing a contract services in a framework comprising the steps of matching a user to a service provider utilizing a database having information on service providers(Abstract)(Fig 1/21/36/30)(Fig 3/88)(col 6 lines 55-62) and providing supply chain/workflow services and a database for services provided by the service providers and identifying a particular service provider based on the request data(col 6 lines 32-52)(col 6 lines 62-col 7 line 3) and sending the user information concerning process design

Art Unit: 3624

services using the service provider data structure(col 7 lines 15-67)(Fig. 4)and allowing the user access and query for technical services concerning services provided by the service providers utilizing the database(col 23 lines 22-30). Sheflott teaches that the service provider includes a description(col 6 line 53-col 7 line 14)(Fig 3) with links(Fig 4/171/178/174/182)(Fig 56/36/98).Flores teaches providing transaction services to the user(Fig 4c)(Fig 4b)(Fig 4a)(col 110 lines 27-64). Tibbetts teaches utilizing a contract- proposal mechanism(Fig 5)(Fig 7)(Fig 6). It would have been obvious to one skilled in the art at the time of the invention to combine Sheflott in view of Tibbetts and further in view of Flores to teach the above and to apply these techniques to a contract manufacturing enviroment. The motivation to combine is to teach an architecture that takes advantage of the generic properties permitting it to be reusable for new types of transactions as enunciated by Tibbetts(col 1 lines 53-56). The further motivation to combine is to teach a system for analyzing and structuring business processes that provides clients with the requistire tools to manage these businesses efficiently as enunciated by Flores(col 1 lines 19-22).

7. As per claims 2,9,16 Sheflott teaches a method as recited in claim 1,8,15 respectively wherein the step of matching the user to a service provider includes optimization services(Fig 3/101/100/90).Tibbetts teaches coordinating actions between proposal and any consumer which leads to optimization(Fig 6/603)(Fig 7). Flores teaches workflow management and workflow schedule processing(Fig 2) and performance optimization(Fig 1) and satisfaction optimization(Fig 3).It would have been obvious to one skilled in the art at the time of the

Art Unit: 3624

invention to combine Sheflott in view of Tibbetts and further in view of Flores to teach the above and to apply these techniques to a contract manufacturing environment. The motivation to combine is to teach an architecture that takes advantage of the generic properties permitting it to be reusable for new types of transactions as enunciated by Tibbetts(col 1 lines 53-56). The further motivation to combine is to teach a system for analyzing and structuring business processes that provides clients with the requisite tools to manage these businesses efficiently as enunciated by Flores(col 1 lines 19-22).

8. As per claims 6,13,20 Sheflott teaches a method as recited in claims 1,8,15 wherein the database is accessed using a network(Fig 3)(Fig 6)(col 8 line 63-col 9 line 32).

9. As per claims 7,14,21 Sheflott teaches a method as recited in claims 1,8,15 with the network (Fig 15/312)(col 21 lines 10-25). Tibbetts teaches accessing a database utilizing a network(Fig 5)(Fig 7)(Fig 10)(Fig 12) and allowing a user to add a web based interface)col 2 lines 18-23).It would have been obvious to one skilled in the art at the time of the invention to combine Sheflott in view of Tibbetts and further in view of Flores to teach the above and to apply these techniques to a contract manufacturing environment. The motivation to combine is to teach an architecture that takes advantage of the generic properties permitting it to be reusable for new types of transactions as enunciated by Tibbetts(col 1 lines 53-56). The further motivation to combine is to teach a system for analyzing and structuring business processes that provides clients with the requisite tools to manage these businesses efficiently as enunciated by Flores(col 1 lines 19-22).

Art Unit: 3624

10. Claims 3-5, 10-12, 17-19 are rejected under 35 USC 103(a) as unpatentable over Sheflott(US Pat. No: 5,802,493) in view of Tibbetts (US Pat. No: 6,158,044) and further in view of Flores(US Pat. No: 6,073,109) and further in view of Elance.com(1999).

11. As per claims 3,10,17 Sheflott teaches according to the method as recited in claims 2,9,16 respectively using technical experts(Fig 4/180). Sheflott fails to teach wherein the step of providing supply chain/workflow services includes identifying particular service provider information. Sheflott teaches that the service provider includes a description(col 6 line 53-col 7 line 14)(Fig 3) with links(Fig 4/171/178/174/182)(Fig 56/36/98). Flores teaches providing transaction services to the user(Fig 4c)(Fig 4b)(Fig 4a)(col 110 lines 27-64). Tibbetts teaches utilizing a contract- proposal mechanism(Fig 5)(Fig 7)(Fig 6). It would have been obvious to one skilled in the art at the time of the invention to combine Sheflott in view of Tibbetts and further in view of Flores to teach the above and to apply these techniques to a contract manufacturing environment. The motivation to combine is to teach an architecture that takes advantage of the generic properties permitting it to be reusable for new types of transactions as enunciated by Tibbetts(col 1 lines 53-56). The further motivation to combine is to teach a system for analyzing and structuring business processes that provides clients with the requisite tools to manage these businesses efficiently as enunciated by Flores(col 1 lines 19-22). Finally, Elance.com teaches the specific use of legal services(page 2). It would have been obvious to one skilled in the art at the time of the invention to combine Sheflott in view of Tibbetts and further in view of Flores and

Art Unit: 3624

further in view of Elance to teach the above. The motivation to combine is to teach an architecture that takes advantage of the generic properties permitting it to be reusable for new types of transactions as enunciated by Tibbetts(col 1 lines 53-56). This further motivation to combine is to teach a system for analyzing and structuring business processes that provides clients with the requisite tools to manage these businesses efficiently as enunciated by Flores(col 1 lines 19-22). Finally, the motivation to combine is to teach a system capable of delivering contract services as taught by Elance.

12. As per claims 4,11,18 Sheflott teaches a method as recited in claims 1,8,15 respectively where the technical experts available for consultation services include consulting services(Fig 4/136/180/138).Sheflott teaches contact and consultation with technical experts(Fig 4/180). Sheflott fails to teach that these services specifically relate to engineering services. Flores teaches a method as recited in claim 1, wherein the step of allowing the user access to technical services includes identifying particular service provider information based on a request data from the user(Fig 2)(col 6 line 50-col 7 line 5), wherein the particular service provider information includes information concerning process design services, and sending the user data concerning process design services utilizing the identified service provider information(col 11 line 1-24)(col 9 line 41-col 10 line 67).Furthermore,Elance.com teaches utilization of patent licensing(p. 4,6). It would have been obvious to one skilled in the art at the time of the invention to combine Sheflott in view of Tibbetts and further in view of Flores and further in view of Elance.com to teach the above and to apply the consultations with patent experts and with patent licensing. The

Art Unit: 3624

motivation to combine is to teach an architecture that takes advantage of the generic properties permitting it to be reusable for new types of transactions as enunciated by Tibbetts(col 1 lines 53-56). This further motivation to combine is to teach a system for analyzing and structuring business processes that provides clients with the requisite tools to manage these businesses efficiently as enunciated by Flores(col 1 lines 19-22).Finally, the motivation to combine Elance in view of Sheflott in view of Tibbetts in view of Flores is to teach a system capable of permitting a user to request information on patent licensing.

13. As per claims 5,12,19 Sheflott teaches a method as recited in claims 1,8,15 respectively where the technical experts available for consultaton services include consulting services(Fig 4/136/180/138).Sheflott teaches contact and consultation with technical experts(Fig 4/180). Sheflott fails to teach that these services specifically relate to engineering services. Flores reaches a method as recited in claim 1, wherein the step of allowing the user access to technical services includes identifying particular service provider information based on a request data from the user(Fig 2)(col 6 line 50-col 7 line 5), wherein the particular service provider information includes information concerning process design services, and sending the user data concerning process design services utilizing the identified service provider information(col 11 line 1-24)(col 9 line 41-col 10 line 67).Furthermore,Elance.com teaches utilization of multi-country patent licensing(p. 7,9). It would have been obvious to one skilled in the art at the time of the invention to combine Sheflott in view of Tibbetts and further in view of Flores and further in view of Elance.com to teach the above and to apply the consultations with patent experts and with multi-

Art Unit: 3624

country patent licensing. The motivation to combine is to teach an architecture that takes advantage of the generic properties permitting it to be reusable for new types of transactions as enunciated by Tibbetts(col 1 lines 53-56). This further motivation to combine is to teach a system for analyzing and structuring business processes that provides clients with the requisite tools to manage these businesses efficiently as enunciated by Flores(col 1 lines 19-22). Finally, the motivation to combine Elance in view of Sheflott in view of Tibbets in view of Flores is to teach a system capable of permitting a user to request information on multi-country patent licensing.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 3624

15. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

GRA


November 20, 2002